THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 7382 of 1996

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Dated 14-02-2006

Between:

R.Thirupathi Rao, S/o Nagabhushanam,
R/o Vijayapuri North, Nagarjunasagar, Nalgonda Dist.

..... PETITIONER

AND

The Dist. Collector, Nalgonda, Nalgonda Dist. and others

.....RESPONDENTS

THE HON'BLE MR. JUSTICE. L. NARASIMHA REDDY

WRIT PETITION NO.7382 OF 1996

ORDER:

This writ petition is filed challenging the action of the 1st respondent in seizing the vehicle of the petitioner. Respondents 3 to 6 filed O.P.No.507 of 1988 before the Motor Accidents Claims Tribunal, Nalgonda, claiming compensation, on account of the death of one Venkateswarlu, in an accident, involving the vehicle bearing No.ADT 8421, belonging to the petitioner. The Insurer was also impleaded. The Tribunal awarded compensation of Rs.1,00,000/-, together with interest at 9% per annum, through award dated 10-12-1990. The liability of the Insurance Company was restricted to Rs.15,000/- and the petitioner and another person were jointly and severally liable to pay a sum of Rs.85,000/-. Respondents 3 to 6, obtained a certificate from the Claims Tribunal under Section 174 of the Motor Vehicles Act, and on the basis of the same, they approached the District Collector, for recovery of the amount, as arrears of land revenue. It is in that process, that the vehicle of the petitoner bearing No.AET 9307 was attached.

Heard the learned counsel for the petitioner and learned counsel for the claimants-respondents 3 to 6.

Though several contentions were urged by the learned counsel for the petitioner, it is evident from the record that this Court did not grant any stay of attachment. It is not known as to whether the attached vehicle was proceeded with, or any other steps were taken by respondents 3 to 6, for realisation of the amount. Unless the necessary facts are before this Court, it is difficult to undertake any adjudication of the matter.

Hence, the writ petition is closed, leaving it open to the parties to work out their remedies in accordance with law. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.14-02-2006.

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